

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION  
TENTATIVE  
ORDER NO. R9-2005-0028**

**AN ORDER RESCINDING ORDER NOS. 99-14 AND 2001-190.**

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), finds that:

1. On March 10, 1999, this Regional Board adopted Order No. 99-14, *Waste Discharge Requirements for Southwest Marine, Inc., Sediment Remediation Project, San Diego County*. Order No. 99- 14 established requirements for dredging and disposal of up to 25,000 cubic yards (cy) of sediment at the facility of Southwest Marine, Inc. in San Diego Bay.
2. By letter dated January 5, 2005, Mr. Sandor Halvax of Southwest Marine, Inc. notified the Regional Board that no dredging or construction activity took place at the facility of Southwest Marine, Inc. in San Diego Bay, and requested rescission of Order No. 99-14.
3. On July 18, 2001, this Regional Board adopted Order No. 2001-190, *Waste Discharge Requirements for the Port of San Diego, National City Marine Terminal Wharf Dredging, San Diego County*. Order No. 2001-190 established requirements for dredging and disposal of up to 217,500 cubic yards (cy) of sediment at the facility of the National City Marine Terminal in San Diego Bay.
4. By letter dated December 22, 2004, Mr. Charles A. (Tony) Heinrichs of the Port of San Diego notified the Regional Board that the dredging project has been completed in October 2003, and requested rescission of Order No. 2001-190.
5. It is appropriate to rescind the Waste Discharge Requirements because the projects have been completed, or terminated.
6. The Regional Board has notified all known interested parties of its intent to rescind Order Nos. 99-14 and 2001-190.
7. The Regional Board, in a public hearing, heard and considered all comments pertaining to the rescission of Order Nos. 99-14 and 2001-190.
8. These facilities are existing facilities and as such are exempt from the provisions of the California Environmental Quality Act, in accordance with Title 14, California Code of Regulations, Article 19, Section 15301.

IT IS HEREBY ORDERED that Order Nos. 99-14 and 2001-190 are rescinded.